

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

AMERITAS LIFE INSURANCE CORP.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 1:23-cv-00236 (GBW)
	:	
WILMINGTON SAVINGS FUND	:	
SOCIETY, FSB, SOLELY AS	:	
SECURITIES INTERMEDIARY,	:	
	:	
Defendant.	:	

**JOINT STIPULATION AND PROPOSED ORDER FOR MODIFYING  
CERTAIN PRE-TRIAL DEADLINES**

WHEREAS, the Court's Scheduling Order (D.I. 17 ¶ 11), as modified (D.I. 115), appears to direct the parties to file motions *in limine* by June 6, 2025, but also directs the parties not to separately file motions *in limine* and instead include any such motions, responses, and replies thereto in the proposed pre-trial order;

WHEREAS, the parties have conferred and, with the Court's approval, agree that the parties should not file motions *in limine* on June 6, 2025, and, instead, should serve any motions *in limine*, responses, and replies in accordance with the below schedule, and then include any such motions, responses, and replies in the proposed pre-trial order:

- Motion *in limine* served: August 28, 2025
- Opposition to motions *in limine* served: September 19, 2025
- Replies in support of motions *in limine* served: September 30, 2025

WHEREAS, the Scheduling Order (D.I. 17) as modified (D.I. 115) set the deadline for the parties to exchange expert reports on November 15, 2024 and to later file any *Daubert* motions by February 28, 2025—the deadline for dispositive motions;

WHEREAS, on November 15, 2024, the parties each had several motions pending before the Special Master seeking additional discovery; and, to ensure the parties' experts would have the benefit of any such discovery resulting from those motions, the parties agreed not to exchange expert reports on November 15, 2024;

WHEREAS, with motions still outstanding and the deadline for *Daubert* motions approaching, the parties agreed to suspend all expert deadlines;

WHEREAS, the Special Master ruled on the final discovery motion affirmatively seeking discovery on February 28, 2025; and the final piece of discovery ordered for production by the Special Master was passed on March 18, 2025; and

WHEREAS, the parties have conferred and are prepared to exchange expert reports and agree, subject to the Court's approval, that the expert deadlines should be re-set as follows:

- Expert reports: June 16, 2025;
- Rebuttal reports: July 11, 2025;
- Reply expert reports: July 25, 2025,
- Expert Discovery Cutoff: August 15, 2025,
- *Daubert* motions: August 28, 2025

- Oppositions to *Daubert* Motions: September 19, 2025
- Replies In Support of *Daubert* Motions: September 30, 2025

IT IS HEREBY STIPULATED AND AGREED, by the parties hereto, through their undersigned counsel, and subject to the approval of the Court, that:

1. The expert deadlines in D.I. 17 (as modified in D.I. 115) shall be re-set as set forth in the schedule below; and
2. The motions *in limine* deadline in D.I. 17 (as modified in D.I. 115) shall be modified to clarify that the parties shall not separately file any motions *in limine* on June 6, 2025 and shall, instead, serve any such motions, responses and replies in accordance with the schedule below and the remaining provisions of D.I. 17 ¶ 11, and then include any such motions, responses, and replies in the proposed pre-trial order.

EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Affirmative expert reports	November 15, 2024	June 16, 2025
Rebuttal Reports	December 13, 2024	July 11, 2025
Reply Expert Reports	January 10, 2025	July 25, 2025
Expert discovery cutoff	January 31, 2025	August 15, 2025
<i>Daubert</i> motions filed	February 28, 2025	August 28, 2025
Oppositions to <i>Daubert</i> motions filed	March 31, 2025	September 19, 2025
Replies in support of <i>Daubert</i> motions filed	April 21, 2025	September 30, 2025
Deadline to File motions <i>in limine</i>	June 6, 2025	Parties not to separately file, but include in pre-trial order.
Deadline for service of motions <i>in limine</i>		August 28, 2025
Motions <i>in limine</i> oppositions served		September 19, 2025
Motions <i>in limine</i> replies served		September 30, 2025

[Signature Blocks on Following Page]

**COZEN O'CONNOR**

/s/ Kaan Ekiner

Kaan Ekiner (#5607)  
1201 N. Market St., Ste. 1001  
Wilmington, DE 19801  
302-295-2046  
kekiner@cozen.com

Joseph M. Kelleher (*pro hac vice*)  
Brian D. Burack (*pro hac vice*)  
1650 Market St., Ste. 2800  
Philadelphia, PA 19103

*Attorneys for Plaintiff Ameritas Life  
Ins. Corp.*

**K&L GATES LLP**

/s/ Matthew B. Goeller

Steven L. Caponi (#3484)  
Matthew B. Goeller (#6283)  
600 N. King St., Ste. 901  
Wilmington, DE 19801  
302-416-7000  
steven.caponi@klgates.com  
matthew.goeller@klgates.com

**ORRICK, HERRINGTON &  
SUTCLIFFE LLP**

Khai LeQuang (*pro hac vice*)  
Aaron M. Rubin (*pro hac vice*)  
Richard W. Krebs (*pro hac vice*)  
2050 Main St., Ste. 1100  
Irvine, CA 92614

*Attorneys for Defendant Wilmington  
Savings Fund Society, FSB, solely as  
Securities Intermediary*

Dated: June 11, 2025

---

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
The Honorable Gregory B. Williams